

Minutes of the Conservation Commission
May 11, 2009

Present: CP: Christopher Picone, Chairman
LD: Lorraine DeSouza
LC: Lori Capone, Conservation Agent
MH: Michael Horgan,
MD: Marshall Dennis

7:30 PM CP opened the Meeting of the Ashburnham Conservation Commission under the Wetlands Protection Act, M.G.L. Ch 131 Sect. 40, and in accordance with the Ashburnham Wetlands Protection Bylaw.

7:31 PM CP opened the Notice of Intent Hearing for John and Carol Warrington of 5 Ashe Road last continued from April 13, 2009 for a proposed septic system repair and installation of the well, located within the buffer zone. CP asked if there were any abutters present to speak for or against the application. No abutters were present. Angel Lehtonen of Northland Engineers presented the revised plan to the Commission for the Applicant, who was not present. The Board of Health has approved the present design. Two separate siltation barriers are proposed to be installed at different stages of construction. The first will be installed for the well construction: the second will be installed for the septic system construction. MD noted that a slurry pit was not shown on the plan. Ms. Lehtonen explained that the exact location would be determined in the field due to the parameters of the site. The area is mostly lawn but three trees will need to be removed. MD noted two different wall designs: one on the plan and one designed by Christopher Mossman of Trowbridge Engineering. Ms. Lehtonen stated the Mr. Mossman's design is the one to be constructed and he will be performing the inspections during construction.

CP: Motion to close the Hearing

MD: Seconded the Motion

Motion carried unanimously 4-0

CP: Motion to issue an Order of Conditions per plan and discussion

MD: Seconded the Motion

Motion carried unanimously 4-0

*Angel Lehtonen requested that the Order be sent to Northland Engineers so that she could ensure that it would be recorded for the owner.

Other Business:

- CP: Motion to approve the minutes of February 23, 2009, March 9, 2009 and April 13, 2009

MD: Seconded the Motion

Motion carried 3-0 (LD abstained as she was not present at these meetings)

- MH: Motion to approve the minutes of March 23, 2009

MD: Seconded the Motion

Motion carried 3-0 (CP abstained as he was not present at this meeting)

7:45PM CP opened the Request for Determination of Applicability Hearing for Margaret Close of 114 West Shore Drive for a proposed renovation and buffer zone enhancement project. CP asked if there were any abutters present to speak for or against the project: none were present. Matt Marro presented the project to the Commission for the applicant, who was not present. The applicant is seeking to better manage the drainage that enters her yard and allow for treatment by introducing plantings, extended the existing drainage pipe and creating a settling basin. The applicant also wishes to raise the existing deck and add new footings, construct field stone retaining walls and remove the existing retaining wall along the lake. LD recommended the applicant file an NOI due to the lack of detail on the plan. MD suggested that the RDA authorize the plantings only, located approximately 40 feet from the lake with a few small shrubs within 15 feet. The applicant will file a NOI for all other proposed work
CP: Motion to close Hearing
MD: Seconded the Motion
Motion carried unanimously 4-0
CP: Motion to issue a Negative Determination of Applicability for the plantings Only, per plan and discussion
MH: Seconded the Motion
Motion carried unanimously 4-0

8:08PM CP opened the Notice of Intent Hearing for Robert Meehan of Ashby Road(Map 22, Parcel 45) last continued from April 13, 2009 for the proposed construction of a single family house with associated driveway and utility connections. CP asked if there were any abutters present to speak for or against the application: none were present. Christopher Mossman of Trowbridge Engineering explained revisions that will be made to the plan concerning additional erosion controls along the front of the site, plunge pools at each end of the culvert under the driveway and notes concerning periodic inspections of the catch basins. A revised plan will be submitted to the Commission for the next meeting.
CP: Motion to continue the Hearing to June 8, 2009 at 7:30PM
MH: Seconded the Motion
Motion carried unanimously 4-0

Other Business:

- Steven Coswell presented a landscaping plan for 31 Noel Drive. The project consists of installing stairs from the beach to a proposed patio area and a walkway to the house. No trees are to be removed and all work will be performed by hand. Excavated soils will be stockpiled near the road. LD requested a plan showing erosion controls and topography and measurements for the lake to the proposed activity be submitted for the next meeting.
- CP: Motion to approve the minutes of January 12, 2009
MD: Seconded the Motion
Motion carried 3-0 (MH abstained as he was not present at this Meeting)

- CP: Motion to approve the minutes of November 10, 2009
LD: Seconded the Motion
Motion carried 3-0 (CP abstained as he was not present at this Meeting)
- LD presented a Determination of Negligible Impact for 296 Sherbert Road for work associated with the December 2008 ice storm. LD explained that there was no impact to the resource area.
MH: Motion to issue a Determination of Negligible Impact to 296 Sherbert Road
CP: Seconded the Motion
Motion carried unanimously 4-0
- LD presented a Determination of Negligible Impact for 11 Cross Road for vista pruning and grooming of the riparian area. The Commission determined that the work in the riparian area would require the filing with the Commission
MH: Motion to deny the Determination of Negligible Impact except for the vista Pruning
CP: Seconded the Motion
Motion carried unanimously 4-0
- MD updated the Commission regarding his site visit to 100 Main Street as requested by the homeowners. LC also visited the site with the Town Engineer and presented pictures of the site to the Commission.
- LC presented a Request for a Certificate of Compliance for 56 Lakeshore Drive, DEP #92-668. LC explained that this order was for the replacement of the septic system. LC has inspected the site and all is stable.
LD: Motion to issue a Certificate of Compliance for 56 Lakeshore Drive
CP: Seconded the Motion
Motion carried unanimously 4-0
- LC presented a Request for a Certificate of Compliance for 16 Sunset Drive, DEP #92-109. LC explained that she has visited the site and work never commenced under this Order.
MH: Motion to issue a Certificate of Compliance for 16 Sunset Drive
LD: Seconded the Motion
Motion carried unanimously 4-0
- LC presented a Request for a Certificate of Compliance for 396 Ashby Road, DEP #92-519 for the construction of a single family house. LC has inspected the site and found it be stable and in compliance with the Order.
LD: Motion to issue a Certificate of Compliance for 396 Ashby Road
CP: Seconded the Motion
Motion carried unanimously 4-0

- LC presented a Request for a Certificate of Compliance for 138 Cashman Hill Road, DEP #92-447 for the construction of a single family house. LC has inspected the site and found it to be in compliance with the Order.
LD: Motion to issue a Certificate of Compliance for 138 Cashman Hill Road
MH: Seconded the Motion
Motion carried unanimously 4-0
- DEP forms were signed: RDA for 114 Westshore Drive, CoC for 138 Cashman Hill Road, 396 Ashby Road, 56 Lakeshore Drive and 16 Sunset Drive
- LC informed the Commission that the Town Administrator would like to know if the Commission has any concerns with placing boulder across the boat ramp parcel on Lakeshore Drive to prevent vehicles from driving through the wetland. The Commission had no concerns.
- LC presented photos of the wetland replication work associated with 24 & 30 River Styx Road. There was much discussion. The Commission requested LC write the applicant requiring this area be constructed per the Order.

CP: Motion to adjourn

MD: Seconded the Motion

Motion carried unanimously 4-0

Meeting adjourned at 10:50 PM

Respectfully submitted by Lori Capone, Conservation Agent